

PLAN COMMISSION
-MINUTES-
Monday, November 7, 2022 - Commenced at 1:45 P.M. & adjourned at 2:00 P.M.
City Council Chambers – Municipal Building

Elkhart City Plan Commission was called to order by Dave Osborne at 1:45 P.M.

MEMBERS PRESENT

Dave Osborne
Ron Davis
Mark Datema
Don Walter
Jamie Arce-Proxy

MEMBERS ABSENT

Tory Irwin
Aaron Mishler

REPRESENTING THE PLANNING DEPARTMENT

Ryan Smith, Planner- In person

LEGAL DEPARTMENT

Maggie Maronca, Corporation Counsel- Webex

TECHNOLOGY STAFF

Jim Hines/Kayla Jewell/Jamie Kochanowski

RECORDING SECRETARY

Jamie Kochanowski/Kayla Jewell

APPROVAL OF AGENDA

Motion to approve by Davis; Second by Datema. Voice vote carries.

APPROVAL OF MINUTES- September 6, 2022 and October 3, 2022

Motion to approve by Datema; Second by Davis. Voice vote carries.

APPROVAL OF 2023 CALENDAR

Motion to approve by Davis; Second by Datema. Voice vote carries

OLD BUSINESS

None

NEW BUSINESS

22-X-13 PETITIONER IS STALTARI 909 LLC
PROPERTY IS LOCATED AT 909 GOSHEN ROAD

A Special Exception per Section 26.11.3.h, Special Exceptions Uses in the B-1 Neighborhood Business District, to allow for the establishment of an event center in an existing multitenant building.

STAFF ANALYSIS

This property currently has a multitenant commercial building with a Family Dollar as the anchor store. The applicant would like to use one of tenant spaces on the north side of the building as an event center. The space is less than 2,000 sq. ft. and would have a maximum occupancy of 156 people.

People attending events will mainly be parking in the main shopping center's parking lot on the south side of the building. A private sidewalk along the front of the building allows access to the business from the parking area. The use of the south parking lot will be necessary as the north parking area in front of the business only has three parking spaces designated for this tenant.

The access to the parking area in front of this business is at the intersection of Evans Street and Goshen Avenue. Evans Avenue is primarily a residential street with a sharp bend as it comes to the intersection of Goshen. On the residential properties to the west of this property, there are no parking signs along the street as visibility where the street bends becomes difficult. The property owner and

the business operator will need to work closely together to ensure that the parking for these events does not cause an issue with the other tenants as well as the neighboring properties.

STAFF RECOMMENDATION

Staff recommends approval of the request based on the following findings of fact:

1. The Special Exception is so defined, located and proposed to be operated that the public health, safety and welfare will be protected;
2. The Special Exception will not reduce the values of other properties in its immediate vicinity because there will be no exterior changes to the existing building;
3. The Special Exception shall conform to the regulations of the zoning district in which it is to be located because it will not generate adverse effects on adjacent properties in the form of noise, smoke, or odor.

Osborne asks if there are questions from the Commission.

Osborne calls petitioner forward.

Petitioner Staltari 909 LLC, Antonio Staltari, PO Box 1742, Elkhart, IN 46515: Petitioner introduces himself as the property owner Antonio Staltari. The balance of his communication was inaudible.

Datema asks the petitioner to move the microphone up.

Staltari complies with the request.

Datema replies to the petitioner that the sound is better.

Osborne asks for any questions from the commission members.

Datema replies that he noticed on the petition that it mentioned about how the trash would be maintained and asks if the petitioner is going to have someone after the event go back through and make sure that there is no trash around the property.

Staltari replies yes and the balance of speaking is inaudible.

Datema also asks a question in regards to the parking for Family Dollar. Inquiring if there is going to be designated parking for Family Dollar concerned that an event with 125 people doesn't disallow 10-15 customers that would normally go there, having to park very far away from the building and asks if there is there any kind of designation or signage for that.

Staltari replies that there is actually a designation in the Family Dollar lease that would allow them to claim the first two rows of parking on the west side of the parking lot that would be closest to their (inaudible).

Datema acknowledges the response with okay.

Staltari continues, stating that he doesn't foresee that happening with a limit of 156 people saying it would be very unusual that at an event there would be one car per person.

Datema acknowledges the response and states that he just wants to make sure that the customers at family dollar are taken care of with the handicap spaces and all.

Staltari replies that they have a provision in their lease for that.

Arce inquires if the petitioner is the property owner for the whole establishment stating that he would think that the petitioner is inclined to want to have their tenant Family Dollar be taken care of. Arce also states that having a joint vested interest in the success of both the ventures seems to make sense as the petitioner would ensure that they still have proper parking.

Staltari replies yes.

Arce responds ok.

Osborne says thank you and states he would also note that there is a set of bathrooms that wasn't drawn in on the blueprint that the commissioners and that there is a separate bathroom specifically for suite c for the event center.

Staltari responds that it does have its own bathroom.

Osborne asks if there are any other questions for the petitioner and there are none so he states he will bring it back to the commission. Osborne states that this this is going to be a recommendation to the BZA and asks for a recommendation.

Datema makes a motion to approve with a Do-Pass Recommendation to the Board of Zoning Appeals; Second by Davis. Motion carries.

Osborne- Yes
Davis- Yes
Datema- Yes
Walter- Yes
Arce- Yes

STAFF ITEMS

22-SI-12

Plan Commission approval of proposed address for the City of Elkhart.

STAFF ANALYSIS

The Planning and Zoning Department is requesting approval of the addresses that have been reserved for structures in the City of Elkhart.

Residential

403 River Pointe Drive
221 Haines Drive
715 Fieldhouse Ave
409 S Main St Apt. 200
913 S Main St. Apt. 50, 100, 200, 201
915 S Main St. Apt. 50, 100, 200, 201

New Single Family Home
New Single Family Home
New Single Family Home
Residential Apartment
Residential Apartments
Residential Apartments

Commercial

499 Arlington Road
700S Main St Ste. 101, 102, 103, 201, 202
2698 Cassopolis St.
200 Junior Achievement Drive Ste. 114, 116

AEP Transformer
Readdressing
Traffic Signal
Commercial Tenants

Osborne asks if there are questions from the Commission.

Osborne calls for a motion.

Datema makes motion to approve; Second by Davis. Motion carries.

Osborne- Yes
Davis- Yes
Datema- Yes
Walter- Yes
Arce- Yes

ADJOURNMENT

Osborne calls for a motion to adjourn meeting. Davis approves motion to adjourn and is seconded by Arce. Meeting is adjourned and all are in favor.

Tory Irwin, President

Dave Osborne, Vice-President